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MAY 09 2005

In re Application of
Heagy, et al.
Application No. 09/877,219
Filed: June 8, 2001
For: METHOD AND APPARATUS
FOR LINING A CONDUIT

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: **OFFICE OF PETITIONS**
: DECISION ON PETITION
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This is a decision on the petition under 37 CFR 1.137(a), filed December 8, 2004 (Certificate of Mailing date of December 2, 2004), to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." This is not a final agency decision.

The application became abandoned April 25, 2004 for failure to timely submit the issue fee as required by the Restriction Requirement mailed March 24, 2004. The Notice set a one month shortened statutory period of time for reply. Notice of Abandonment was mailed November 16, 2004.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(1); (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The instant petition fails to satisfy requirement (1) set forth above. No reply to the outstanding Restriction Requirement appears to have been submitted. Any renewed petition must be accompanied by the required reply. Enclosed herewith is a courtesy copy of the Office communication dated March 24, 2004.

Further correspondence with respect to this matter should be addressed as follows:


By mail:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306

By hand: U.S. Patent and Trademark Office
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Randolph Building
Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this matter may be directed to the undersigned at 703-305-0310.


Alesia M. Brown
Petitions Attorney
Office of Petitions

Enclosure: Copy of Office communication